

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicants:	Mehmet Sayal et al.	§	Art Unit:	3693
		§		
Serial No.:	10/066,238	§	Conf. No.:	2777
		§		
Filed:	January 30, 2002	§	Examiner:	Jason M. Borlinghaus
		§		
Title:	Trading Partner	§	Docket No.	10010317-1
	Conversation Manager	§		(HPC.0958US)
	Method And System	§		

Mail Stop Appeal Brief-Patents

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REPLY BRIEF

Dear Sir:

Applicant's Reply to the Examiner's Answer is set forth below.

1. § 103 Rejections of Claims 1 and 8

In response to Applicant's contention that the previously-recited § 103 rejections of claims 1 and 8 failed to explain why the skilled artisan would have combined elements from Chehade and Marso to derive the claimed invention, the Examiner sets forth the following additional reasons in the Examiner's Answer:

A business, such as a trading partner, might want to internalize processes that would otherwise be outsourced to a third party. By bringing such processes in-house, a business has more direct control over such processes and has better supervision over such processes, both of which provides a business a peace of mind and ensures that the process is performed in the manner that the overseeing business finds acceptable.

A manufacturer of a system, such as a system for use by a trading partner, might want to integrate multiple components, the trading partner system and the process management platform, thereby making two components into one component, thereby reducing the number of system components and creating a more comprehensive system component with more functionality.

Examiner's Answer, p. 10. The Examiner, however, is not considering the Chehade reference in its entirety, including portions of Chehade that discredits these reasons and would have led the skilled artisan away from the proposed

modification that forms the basis for each § 103 rejection. M.P.E.P. § 2141.02.VI; *W.L. Gore & Associates, Inc. v. Garlock, Inc.* 721 F2d 1540, 220 USPQ 303 (Fed. Cir. 1983), *cert. denied*, 469 US 851 (1984). In this manner, it is improper to combine references where the references teach away from their combination. M.P.E.P. § 2145.D.2; *In re Grasselli*, 713 F2d, 731, 743, 218 USPQ 769, 779 (Fed. Cir. 1983). This is the case in the current § 103 rejection, as Chehade leads the skilled artisan away from internalizing processes or integrating components, as contended in the Examiner's Answer.

More specifically, in paragraph no. [0006], Chehade discloses electronic data interchanges (EDI) and states, "a problem with existing EDI solutions is that there are large set up and maintenance costs associated with EDI." Chehade explains, "thus, if a company has 100 suppliers and 50 distributors, the company is required to set up 150 different EDI interfaces." As Chehade notes, "this process is cumbersome and requires a prohibitive number of resources in order to adequately implement." Chehade, para. no. [0006].

Thus, Chehade presents a solution in which the company is not required to internalize processes and integrate multiple components, as contended by the Examiner; and Chehade states that this solution purportedly, "requires substantially less resources for a company to implement, and that permits business processes comprised of multiple messages linked by a logical work flow to be managed over time." Chehade, para. no. [0007]. In other words, when the Chehade reference is considered as a whole, it becomes apparent that Chehade discredits the rationale provided by the Examiner, teaches away from the claimed invention, impermissibly changes the principal of the prior art invention being modified (M.P.E.P. § 2143.01.V) and leads the skilled artisan to externalizing trading partner interfaces. To this end, Chehade discloses the internal process management platform 318 (see Fig. 3 of Chehade), which establishes a generic interface for the trading partners 300-314.

Thus, for at least the foregoing reasons, Applicant maintains that the § 103 rejections of independent claims 1 and 8 are improper and should be reversed.

2. § 103 Rejection of Claim 6

In the § 103 rejection of claim 6, the Examiner refers to paragraph no. [0066] of Chehade for the purported limitations of retrieving a mark-up language document template and preparing a mark-up language message that is based on the mark-up language document template. In particular, the Examiner contends that the mere disclosure of translating data in a first protocol or format to data into a second protocol or format discloses retrieving a template. Examiner's Answer, p. 11.

The Examiner, however, has no basis to support this contention. In this manner, a "template," assuming a reasonably broad construction, is at least a guide or pattern (see definition of "template" in Exhibit A); and as expressly set forth in claim 6, this pattern or guide is a mark-up language document pattern or guide. The mere reference to the conversion into a second format does not disclose or render obvious the retrieval of a document or the retrieval of a document that serves as a guide or pattern.

Moreover, Marso fails to disclose or render obvious the missing claim limitations. In this manner, the Examiner relies on Marso's disclosure of a document type definition (DTD) or configuration parameters as the purported mark-up language document template. Examiner's Answer, p. 12. As appreciated by the skilled artisan, however, a DTD is part of an XML document, not a document itself or certainly not a document guide or pattern. Moreover, the "configuration parameters" discussed in Marso also fail to disclose or render obvious the claimed mark-up language document template.

As such, Applicant maintains that the hypothetical combination of Chehade and Marso fails to disclose at least retrieving a mark-up language document template and preparing a mark-up language message that is based on the mark-up language document template, as expressly recited in claim 6, when all of these expressly-recited terms are afforded the patentable weight that they are due.

Moreover, the Examiner further relies on Bhatt's disclosure of parsing XML documents into a structure that allows efficient access to the underlying data. However, Bhatt's disclosure also fails to disclose or render obvious retrieving a mark-up language document template and preparing a mark-up language message that is part of the mark-up language document template, regardless of whether Bhatt is considered alone or in combination of Marso and Chehade.

Therefore, for at least these additional, independent reasons, Applicant maintains that the § 103 rejection of claim 6 is in error and should be reversed.

3. § 103 Rejection of Claim 18

Applicant maintains that the § 103 rejection of claim 18 is improper for at least the reason that the hypothetical combination of Chehade, Marso, Bhatt and Saito fails to disclose retrieving an extensible markup language (XML) template in the conversion of a second message having a communication format specified by an interaction standard into a corresponding message having a first data representation. In this regard, as discussed above, neither Chehade, Marso nor Bhatt, whether considered alone or in combination, discloses retrieving an XML template in the conversion of messages between formats, when the expressly-worded claim language is afforded the patentable weight that it is due. Moreover, Saito fails to disclose or render obvious the missing claim limitations, as Saito is purportedly only being relied on for the disclosure of a workflow server. Moreover, Bhatt is relied on for the purported disclosure of retrieving an XLQ query for purposes of converting a message into a particular format, XLQ query to extract data from a reply. However, the language cited from Bhatt (Examiner's Answer, p. 16) merely discloses an XLQ query but fails to render obvious the use of XLQ query in the claimed context.

Thus, for at least these additional, independent reasons, Applicant maintains that the § 103 rejection of claim 18 is in error and should be reversed.

4. § 103 Rejection of Claim 20

In the § 103 rejection of claim 20, the Examiner fails to show where the hypothetical combination of references discloses or renders obvious determining if a response is expected and performing the subsequently-recited actions based on whether or not the response is expected. For the limitations of determining if a response is expected, the Examiner effectively ignores these limitations due to the presence of the language "if." Examiner's Answer, p. 21. In this regard, the Examiner states, "usage of the term 'if' is deemed to be optional language, as there remains a possibility that the proposed optional claim limitation may or may not be exercised nor triggered." Examiner's Answer, p. 21.

Applicant respectfully submits, however, the Examiner is focusing on the word "if" in the abstract but fails to consider the language in its appropriate context.

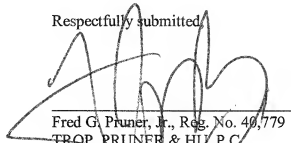
More specifically, claim 20 recites, "determining if a response is expected." The cited references, however, whether considered alone or in combination, fail to disclose determining if a response is expected and performing actions based on whether or not the response is expected. Thus, when claim 20 is properly construed in all of the expressly-worded limitations of this claim are afforded the patentable weight that they are due, it becomes clear that the § 103 rejection of claim 20 is deficient.

Thus, Applicant maintains that the § 103 rejection of claim 20 is in error and should be reversed.

The Commissioner is authorized to charge any fees or credit any overpayment to Deposit Account No. 08-2025, under Order No. 10010317-1.

Date: February 22, 2011

Respectfully submitted,



Fred G. Pruner, Jr., Reg. No. 40,779
TROP, PRUNER & HU, P.C.
1616 S. Voss Road, Suite 750
Houston, TX 77057-2631
713/468-8880 [Phone]
713/468-8883 [Facsimile]

APPENDIX OF CLAIMS

The claims on appeal are:

1. A method for enabling at least one internal business process of a first trading partner which uses a first data representation, the method comprising:
receiving a message from the internal business process of the first trading partner, the message having the first data representation; and
automatically converting the message having the first data representation into a corresponding message having a communication format specified by an interaction standard for communication outside of the first trading partner to a second trading partner using the interaction standard.
2. The method of claim 1 further comprising:
in the first trading partner, receiving a second message in the communication format from the second trading partner, the second message having the communication format specified by the interaction standard; and
automatically converting the received message into a corresponding message having the first data representation.
3. The method of claim 1 wherein the interaction standard is one of a peer-to-peer (P2P) standard and a business-to-business (B2B) standard.
4. The method of claim 1 wherein the interaction standard is one of RosettaNet and the Common Business Library (CBL) business-to-business (B2B) interaction standards.
5. The method of claim 1 wherein the internal business process includes at least one workflow.

6. The method of claim 1 wherein the act of automatically converting the message having the first data representation into a corresponding message having the communication format specified by the interaction standard includes:

- retrieving a service definition;
- retrieving a mark-up language document template; and
- preparing a mark-up language message that is based on the mark-up language document template.

7. The method of claim 2 wherein the act of automatically converting the second message having the communication format specified by the interaction standard into a corresponding message having the first data representation includes

- retrieving at least one extensible-markup query language (XQL) query; and
- executing the XQL query to extract the data from the reply.

8. A system comprising:

- a) an internal business process of a first trading partner, the internal business process using a first data representation;
- b) an interaction standard that specifies a communication format for communication between the first trading partner and a second trading partner; and
- c) a trading partner conversation manager of the first trading partner to manage conversation between the internal business process and the second trading partner by performing format conversion between the first data representation and the interaction standard.

9. The system of claim 8 wherein the trading partner conversation manager automatically converts messages having the first data representation into corresponding messages having the communication format specified by the interaction standard.

10. The system of claim 8 wherein the trading partner conversation manager automatically converts messages having the communication format specified by the interaction standard into corresponding messages having the first data representation.

11. The system of claim 8 wherein the trading partner conversation manager automatically maps a first message with the first data representation into a corresponding first message in the communication format, and automatically maps a second message in the communication format into a corresponding second message in the first data representation.

12. The system of claim 8 wherein the interaction standard is one of a peer-to-peer (P2P) standard and a business-to-business (B2B) standard.

13. The system of claim 8 wherein the interaction standard is one of RosettaNet and the Common Business Library (CBL) business-to-business (B2B) interaction standards.

14. The system of claim 8 wherein the internal business process includes at least one workflow.

18. The method of claim 2 wherein the act of automatically converting the second message having the communication format specified by the interaction standard into the corresponding message having the first data representation includes:

- retrieving a service name and extensible-markup query language (XQL) queries;
- parsing the request and extracting data;
- starting the service and passing data;
- obtaining service results;
- retrieving an extensible markup language (XML) template;
- preparing an XML response;
- sending the XML message; and
- returning control to a workflow server.

19. The method of claim 1 wherein the act of automatically converting the message having the first data representation into the corresponding message having the communication format specified by the interaction standard includes:

- retrieving a service definition;
- retrieving an extensible markup language (XML) template;
- preparing an XML response; and
- sending the XML message.

20. The method of claim 19 wherein the act of automatically converting the message having the first data representation into the corresponding message having the communication format specified by the interaction standard further includes:

- determining if a response is expected;
- when a response is not expected, returning control to a workflow server;
- when a response is expected, waiting for the response, retrieving a service name and extensible-markup query language (XQL) queries, parsing the response and extracting data, and returning control to the workflow server.

21. The method of claim 1 wherein the interaction standard defines syntax for message exchanges and flow of interactions.

22. The system of claim 8 wherein the interaction standard defines syntax for message exchanges and flow of interactions.

EXHIBIT A



m-w.com

[Word Games](#)[Word of the Day](#)[New Words & Slang](#)[Video](#)[Tools](#)

template

[Submit](#)

template

3 ENTRIES FOUND:

template (noun)

template excavator

strip template

*Ads by Google***Product Feed Templates**

Details on every product feed. Get your free guide today!
merchantadvantage.com/feedtemplates

tem·plate *noun* \ˈtem-plət**Definition of TEMPLATE**

- 1** : a short piece or block placed horizontally in a wall under a beam to distribute its weight or pressure (as over a door)
- 2** **a** (1) : a gauge, pattern, or mold (as a thin plate or board) used as a guide to the form of a piece being made (2) : a molecule (as of DNA) that serves as a pattern for the generation of another macromolecule (as messenger RNA)
b : OVERLAY **c**
- 3** : something that establishes or serves as a pattern

See [template](#) defined for English-language learners »

Top 10 Rare & Amusing Insults

Make 2011 YOUR Year

Lose 10 lbs. for 20 bucks!



Learn More! 

eDiets
*Click for details

New: For Your iPhone

Merriam-Webster's Dictionary
with Voice Search



Get the Free App!

Examples of TEMPLATE

The software includes *templates* for common marketing documents like pamphlets and flyers.

Origin of TEMPLATE

probably from French *templet*, diminutive of *temple*, part of a loom, probably from Latin *templum*

First Known Use: 1677

Browse

Next Word in the Dictionary: temple (noun)

Previous Word in the Dictionary: Templar

All Words Near: template

The Merriam-Webster Unabridged Dictionary



Online access to a legendary resource
[Log In or Sign Up »](#)

Join Us

[Merriam-Webster on Twitter »](#)

Learning English? We can help.



Visit our free site designed especially for learners and teachers of English
[LearnersDictionary.com »](#)



Our Diction On Your iPL

*Merriam-Webster
With Voice Search*
Get the Free App

Don't Miss Your Chance
High Speed Internet + Home Phone



\$44.99
/month
2-Year Price Guarantee

100% Satisfaction Guarantee
No Annual Contract
No Hidden Fees

[Home](#) [Help](#) [About Us](#) [Shop](#) [Browser Tools](#) [Advertising Info](#)

[Pronunciation Key](#) [Privacy Policy](#) [Contact Us](#)

[Browse](#)

© 2011 Merriam-Webster, Incorporated